



STATE OF WASHINGTON

DEPARTMENT OF ECOLOGY

15 West Yakima Avenue, Suite 200 • Yakima, Washington 98902-3452 • (509) 575-2490

May 1, 2001

Frederic L Glover  
2271 Payne Rd  
Ellensburg WA 98926-8447

**Re: Emergency Drought Permit G4-32970**

In accordance with the provisions of RCW 43.83B.405, on March 14, 2001, it was ordered and determined by the Director of the Department of Ecology that the State of Washington is under drought conditions. In accordance with the provisions of WAC 176-166-060, the Department of Ecology is under the terms of this Order, issuing an EMERGENCY DROUGHT PERMIT. The intent of this authorization is to alleviate hardships and reduce the burdens on water users arising from the drought conditions.

**THIS AUTHORIZATION SHALL IN NO MANNER BE CONSTRUED TO GUARANTEE OR IMPLY THAT A FINAL (REGULAR) PERMIT WILL ISSUE FOR THE FUTURE USE OF THE WATER USE HEREIN AUTHORIZED.**

The Department of Ecology has agreed to fund the cost of the mitigation or offsets for the impacts associated with the emergency drought authorizations. Ecology is attempting to meet the essential irrigation needs of farmers growing orchard crops, grapes and hops where the loss of irrigation water would permanently damage trees and vines. Essential needs have been defined as 75% to 80% of a usual irrigation water duty delivered by the irrigation districts.

This authorization is conditioned by the following provisions and limitations:

This authorization is for an existing well located within the SW $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 3, T. 10 N., R. 19 E.W.M.

The quantity of water to be withdrawn is limited to 262.5 gpm and 68 acre-feet of apples and pears. This is based upon the instantaneous quantity requested and an annual quantity of 2 acre-feet per acre.

Water is to be used for supplemental irrigation of 34 acres of apples and pears in 2001. The place of use is described as follows:

That portion of the W $\frac{1}{2}$ NW $\frac{1}{4}$  of Section 3, T. 16 N., R. 19 E.W.M., Kittitas County, Washington, which is bounded by a line described as follows: Beginning at the southwest corner of said W $\frac{1}{2}$ NW $\frac{1}{4}$ , at which point is the true point of beginning; thence east along the south boundary of said W $\frac{1}{2}$ NW $\frac{1}{4}$ , 1337.65 feet; thence north 0°04'20" west 789.83 feet; thence north 49°59'50" west 211.14 feet; thence north 77°67'40" west 127.31 feet; thence south 86°34'40" west 292.18 feet; thence south 70°18'10" west 113.32 feet; thence south 49°11'50" west 301.89 feet thence south 71°37'30" west 235.43 feet; thence north 37°30'40" west 220.65 feet; thence south 88°15'50" west 58.04 feet; thence south 0°38'30" west 800.20 feet to the true point of beginning, EXCEPT the right of way of the county road.

Well Location

T16/R19-03

NW $\frac{1}{4}$ , NW $\frac{1}{4}$

RD.





AND that portion of the W½NW¼ of Section 3, T. 16 N., R. 19 E.W.M., Kittitas County, Washington, which is described as follows: Commencing at found brass cap monument marking the SW corner of the NW¼ of said section; thence N 00°38'30" E on the Westerly boundary line of the NW¼ of said section 800.20 feet to the SW corner of the parcel described in instrument recorded in Volume 106 of Deeds, pages 623 and 624, records of Kittitas County, Auditor's File No. 427538, which is the point of beginning; thence on the following courses along the Southerly boundary of said parcel:

- a) N 88°15'50" E 58.04 feet;
- b) S 37°30'40" E 220.65 feet;
- c) N 71°37'30" E 235.43 feet;
- d) N 49°11'50" E 301.89 feet;
- e) N 70°18'10" E 113.32 feet;

thence N 86°34'40" E along the Southerly boundary line of said parcel and of the parcel described in instrument recorded in Volume 97 of Deeds, pages 395 and 396, records of Kittitas County, Auditor's File No. 421868, a distance of 217.95 feet; thence N 02°32'38" W 477.97 feet to the Northerly boundary line of said parcel described in instrument recorded under said Auditor's File No. 427538 and to the Southerly right of way boundary line of the Kittitas Reclamation District's lateral known as the Turbine Lateral; thence N 68°57'00" W along said Southerly right of way boundary line 50.12 feet; thence S 66°15'01" W along said Southerly right of way boundary line 176.20 feet; thence Southwesterly along said Southerly right of way boundary line to its intersection with the Westerly boundary line of the NW¼ of said section; thence S 00°38'30" W along said Westerly boundary line 172.30 feet to the point of beginning.

A suitable flow meter approved by the Department of Ecology shall be installed and maintained in accordance with WAC 508-64-020 through WAC 508-64-040. (Installation, operation and maintenance requirements attached hereto.)

Whenever water is being diverted, bi-weekly (every two weeks) readings of the flow meter shall be recorded and maintained by the permittee. These readings shall be documented by time, date, withdrawal rate, and the person conducting the measurements. Copies of these records shall be submitted to the Department of Ecology at the end of the 2001 irrigation season.

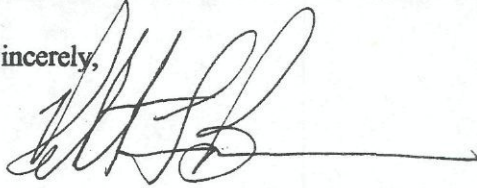
Withdrawal of water under this authorization may be limited or otherwise regulated in favor of senior rights.

Department of Ecology personnel, upon presentation of proper credentials, shall have access at reasonable times, to the records of water use that are kept to meet the above conditions, and to inspect at reasonable times any measuring device used to meet the above conditions.

This drought emergency authorization expires on October 31, 2001

This Order may be appealed pursuant to RCW Chapter 43.21B. The person to whom this Order is issued must file an appeal with the Pollution Control Hearings Board within thirty (30) days of receipt of this Order. Send the appeal to: Pollution Control Hearings Board, P.O. Box 40903, Olympia, Washington 98504-0903. At the same time, a copy of the appeal must be sent to: Department of Ecology, Fiscal Office, P.O. Box 47615, Olympia, Washington 98504-7615. All others receiving notice of this Order must file an appeal with the Pollution Control Hearings Board within thirty (30) days of the date the Order was mailed in the same manner described above.

Sincerely,

A handwritten signature in black ink, appearing to read 'RFB', with a long horizontal line extending to the right.

Robert F Barwin  
Section Supervisor  
Water Resources Program

DC:gg  
010505

Enclosures: Flow Meter Requirements

cc: Yakama Indian Nation